

HOUSE BILL 20

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2001 Regular Session
11r0327

(PRE-FILED)

By: **Delegates Leopold and Montague**
Requested: July 24, 2000
Introduced and read first time: January 10, 2001
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: February 7, 2001

CHAPTER _____

1 AN ACT concerning

2 **Family Law - Marriage License Fee - Premarital Preparation Course**

3 FOR the purpose of authorizing a county to discount a marriage license fee if the
4 couple to be married has completed a premarital preparation course under
5 certain circumstances; specifying the requirements for a premarital preparation
6 course; authorizing certain providers to conduct a premarital preparation
7 course; authorizing the clerk of the court to establish a roster of premarital
8 preparation course providers; requiring any cost for a premarital preparation
9 course to be paid by a certain individual; requiring a premarital preparation
10 course provider to provide a certain certificate of completion to each couple who
11 completes the course; requiring a premarital preparation course provider to
12 register with the clerk by filing a certain affidavit; requiring an applicant for a
13 license to file a certain certificate to receive a discounted marriage license fee;
14 prohibiting the discount from being applied to any fee used to fund domestic
15 violence programs; and generally relating to marriage license fees and
16 premarital preparation courses.

17 BY adding to
18 Article - Family Law
19 Section 2-404.1
20 Annotated Code of Maryland
21 (1999 Replacement Volume and 2000 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

Article - Family Law

2 2-404.1.

3 (A) (1) A COUNTY MAY DISCOUNT A MARRIAGE LICENSE FEE UNDER §
4 2-404(A) OF THIS SUBTITLE IF THE COUPLE TO BE MARRIED HAS COMPLETED,
5 WITHIN 1 YEAR BEFORE THE DATE OF THE APPLICATION FOR THE LICENSE, A
6 PREMARITAL PREPARATION COURSE THAT MEETS THE REQUIREMENTS SPECIFIED
7 IN THIS SECTION.

8 (2) THE AMOUNT OF ANY DISCOUNT SHALL BE DETERMINED BY THE
9 COUNTY GOVERNING BODY.

10 (B) A PREMARITAL PREPARATION COURSE SHALL:

11 (1) INCLUDE INSTRUCTION REGARDING:

12 (I) CONFLICT MANAGEMENT;

13 (II) COMMUNICATION SKILLS;

14 (III) FINANCIAL RESPONSIBILITIES; AND

15 (IV) CHILDREN AND PARENTING RESPONSIBILITIES; AND

16 (2) CONSIST OF AT LEAST 4 HOURS OF INSTRUCTION.

17 (C) A PREMARITAL PREPARATION COURSE MAY BE CONDUCTED BY:

18 (1) A CLINICAL PROFESSIONAL COUNSELOR OR A ~~PROFESSIONAL~~
19 ~~COUNSELOR-MARRIAGE~~ CLINICAL MARRIAGE AND FAMILY THERAPIST LICENSED
20 UNDER TITLE 17, SUBTITLE 3A OF THE HEALTH OCCUPATIONS ARTICLE;

21 (2) A PSYCHOLOGIST LICENSED UNDER TITLE 18 OF THE HEALTH
22 OCCUPATIONS ARTICLE;

23 (3) A SOCIAL WORKER LICENSED UNDER TITLE 19 OF THE HEALTH
24 OCCUPATIONS ARTICLE;

25 (4) AN OFFICIAL REPRESENTATIVE OF A RELIGIOUS INSTITUTION IF
26 THE REPRESENTATIVE HAS RELEVANT TRAINING; OR

27 (5) ANY OTHER QUALIFIED PROVIDER APPROVED BY A COUNTY
28 GOVERNING BODY.

29 (D) (1) A PREMARITAL PREPARATION COURSE PROVIDER SHALL REGISTER
30 WITH THE CLERK BY FILING A WRITTEN AFFIDAVIT CONTAINING:

31 (I) THE PROVIDER'S NAME, ADDRESS, AND TELEPHONE NUMBER;

1 (II) A SUMMARY OF THE PROVIDER'S QUALIFICATIONS AND
2 TRAINING; AND

3 (III) A STATEMENT THAT THE PROVIDER SHALL COMPLY WITH THE
4 COURSE REQUIREMENTS SPECIFIED IN THIS SECTION.

5 (2) THE CLERK MAY ESTABLISH A ROSTER OF AREA PREMARITAL
6 PREPARATION COURSE PROVIDERS, INCLUDING THOSE WHO OFFER THE COURSE ON
7 A SLIDING FEE SCALE OR FOR FREE.

8 (E) (1) A PREMARITAL PREPARATION COURSE PROVIDER SHALL PROVIDE
9 TO EACH COUPLE WHO COMPLETES THE COURSE A CERTIFICATE OF COMPLETION
10 THAT SPECIFIES:

11 (I) THE NAMES OF THE COUPLE;

12 (II) THE NAME OF THE PROVIDER; AND

13 (III) THE DATE OF COMPLETION OF THE COURSE; ~~AND~~

14 ~~(IV) WHETHER THE COURSE WAS CONDUCTED BY:~~

15 1. ~~PERSONAL INSTRUCTION;~~

16 2. ~~VIDEOTAPE INSTRUCTION;~~

17 3. ~~INSTRUCTION BY MEANS OF OTHER ELECTRONIC~~
18 ~~MEDIUM; OR~~

19 4. ~~A COMBINATION OF THESE METHODS.~~

20 (2) TO RECEIVE A DISCOUNTED MARRIAGE LICENSE FEE UNDER THIS
21 SECTION, AN APPLICANT FOR A LICENSE SHALL VERIFY COMPLETION OF A
22 PREMARITAL PREPARATION COURSE BY FILING WITH THE CLERK A VALID
23 CERTIFICATE OF COURSE COMPLETION ISSUED IN ACCORDANCE WITH PARAGRAPH
24 (1) OF THIS SUBSECTION.

25 (F) ANY COST FOR A PREMARITAL PREPARATION COURSE SHALL BE PAID BY
26 THE APPLICANT FOR A MARRIAGE LICENSE.

27 (G) THE DISCOUNT AUTHORIZED BY THIS SECTION MAY NOT BE APPLIED TO
28 ANY FEE USED TO FUND DOMESTIC VIOLENCE PROGRAMS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2001.

